

75-3287/1

THE POSTMASTER GENERAL
Washington, DC 20260

July 17, 1975

Honorable William E. Colby
Director, Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Colby:

It is an understatement to tell you I am shocked by your letter of yesterday's date. The events you describe in your letter stand in clear violation of the sanctity of the mails and threaten to shake public confidence in the integrity of the mail. I must therefore insist on your aid in clarifying this episode. Further, I am determined to receive every assurance against similar recurrences.

Last spring, you gave me assurances that practices that had been in effect from 1953 to 1973 had been discontinued. I was distressed to learn then that certain mail had been intercepted, copied and returned to the mailstream for sending on to the addressee. The revelation that mail was removed from the international mailstream, opened and retained indefinitely is doubly disturbing. It leads me to ask whether other mail for addressees in the United States has been similarly treated.

It is my duty as Postmaster General to insist that any such mail still held by the Central Intelligence Agency immediately be turned over to the Postal Service for delivery to the intended recipients.

While I appreciate that national security matters may be involved, I urge you to release to the public any additional details that you can concerning the New York to Latin America to CIA Headquarters package. I am especially desirous to know the identity of the New York firm mentioned in order to insure that any connection this firm may have with the Postal Service is proper and that its means of obtaining mail have been discontinued.

I have directed the Postal Inspection Service to investigate the episode you described. I also have asked the assistance of the

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Justice Department. I assume your staff will be available to us or the Justice Department, should this become necessary.

As I expressed last spring, I appreciate your cooperation in promising to end the CIA's mail-intercept program and your candor in the current instance.

Sincerely,



Benjamin F. Bailar



U.S. Postal Service • Washington, DC 20260

For further information call _____

CIA-INTERCEPTED MAIL RECEIVED BY POSTAL SERVICE

Postmaster General Benjamin F. Bailar today announced that he has received from the Director of the Central Intelligence Agency 110 opened letters and post cards which had been intercepted by the CIA in 1972.

After notifying the Justice Department the letters and post cards were in his possession, Bailar received a search warrant requiring him to surrender the mail to the Justice Department where it is being held pending possible legal action against those responsible for opening and detaining it.

The mail, all of which CIA Director Colby's forwarding letter said had been "apparently mailed in early 1972 from the U.S.S.R. to addressees in the United States" was discovered, according to Colby, on a shelf during a "recent routine change in office space assigned to a unit of this Agency." Colby indicated he had no information whether "the individual pieces had at any time been in the U. S. Mail system."

The Postmaster General released the contents of his response to Director Colby in which he wrote:

(more)

"It is an understatement to tell you I am shocked by your letter of yesterday's date. The events you describe in your letter stand in clear violation of the sanctity of the mails and threaten to shake public confidence in the integrity of the mail. I am determined to receive every assurance against similar recurrences."

"Last spring," the Postmaster General continued, "you gave me assurances that practices that had been in effect from 1953 to 1973 had been discontinued. I was distressed to learn then that certain mail had been intercepted, copied and returned to the mailstream for sending on to the addressee. The revelation that mail was removed from the international mail stream, opened, and retained indefinitely, is doubly disturbing. It leads me to ask whether other mail for addressees in the United States has been similarly treated."

"It is my duty as Postmaster General to insist that any such mail still held by the Central Intelligence Agency immediately be turned over to the Postal Service for delivery to the intended recipients."

Bailar also has written to each of the intended recipients expressing his regrets and strong disapproval of the incidents.

In his letter to Postmaster General Bailar, Colby extended his "own sincere apology to each of the addressees whom you can locate for the mishandling by the Agency of their correspondence."

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Previously the CIA had claimed that all such intercepted and opened mail had been copied and returned to the mails. This 1972 incident is the first time the Postal Service has received evidence that such mail was not put back into the mail stream.

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7/17/75

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

16 July 1975

The Honorable Benjamin F. Bailar
The Postmaster General
United States Postal Service
475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260

Dear Mr. Bailar,

In the course of a recent routine change in office space assigned to a unit of this Agency, there was discovered on a shelf in a securely vaulted area a dispatch from one of our installations in Latin America dated March 27, 1972. With this dispatch were 85 post cards and 25 letters (opened), all apparently mailed in early 1972 from the U.S.S.R. to addressees in the United States, as well as three customs declarations and one return receipt for Registered Mail. According to the dispatch, this mail had been received by a resident of the area in which our installation is located, in a single package which appeared (from the label affixed to it) to have been mailed to him by a New York firm. This firm was one with which he conducted normal business correspondence in no way related to mail intercept. The recipient of this package had given it to another resident of the area, a United States citizen, who in turn had passed it on to our installation, with which he was in regular contact.

Handwritten notes discovered along with these pieces of mail indicate that CIA Headquarters had recorded it in our Soviet mail intercept files in the same manner as if it had come from the intercept operation then being carried out in New York. There is no factual indication in our files as to:

- a. how the package of mail happened to bear a label addressed to its original recipient;
- b. whether or not the individual pieces of mail had at any time been within the U.S. Mail system; or
- c. why the package of mail had been left on a shelf in CIA Headquarters with no decision, nor apparently any recommendation, regarding its appropriate disposition.



As it is clear that the senders of this mail intended it to be delivered by the U.S. Mail system to the addressees, I am forwarding it to you herewith for appropriate handling. You may wish to send with it copies of this letter by way of explanation regarding its very delayed delivery and of the fact that the envelopes of the letters have been opened. I also extend my own sincere apology to each of the addressees whom you can locate for the mishandling by this Agency of their correspondence.

Sincerely,


W. E. Colby
Director

Attachments: 85 post cards
25 letters
2 Hungarian Customs Declarations
1 U.S. Registered Mail/Return Receipt
1 Swedish Customs Declaration

THE POSTMASTER GENERAL
Washington, DC 20260

July 17, 1975

Honorable William E. Colby
Director, Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Colby:

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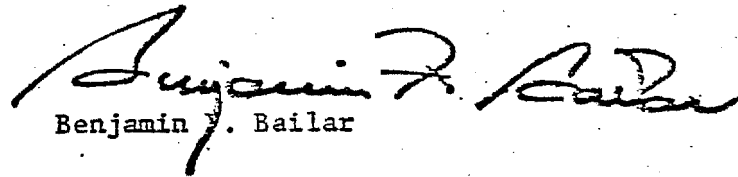
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Justice Department. I assume your staff will be available to us or the Justice Department, should this become necessary.

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Sincerely,



Benjamin F. Bailar



THE POSTMASTER GENERAL
Washington, D.C. 20260

July 17, 1975

Mr. John Smith
Pleasant Street
Chicago, Illinois

Dear Mr. Doe:

Enclosed is a copy of a letter dated July 16, 1975 addressed to me by William E. Colby, Director of the CIA. A letter addressed to you and originally mailed from the U.S.S.R. in March 1972 was included in the mail matter which accompanied Mr. Colby's letter. The delay in delivery of this letter was caused by the apparent interception and acknowledged retention of this mail by the CIA.

I want you to know that the U.S. Postal Service considers this incident a serious violation of your rights and in no way condones or sanctions it.

I immediately communicated with the Justice Department so that it could determine what legal steps should be taken. Mr. Richard L. Thornburgh, Assistant Attorney General, Criminal Division, has this matter under active consideration. Pursuant to a search warrant served on me today, I have turned your letter and the related mail over to the Justice Department for use as evidence.

Should you have a question concerning the latter, it is suggested you communicate directly with Mr. Thornburgh. A photocopy of the envelope of your letter is enclosed.

Let me express my sincere regrets and assure you that as long as it is in my power, abuse of the mails such as this will not be tolerated.

Sincerely,

Benjamin F. Bailar

Attachments

Routing Slip

TO:

		ACTION	INFO.			ACTION	INFO.
1	DCI		✓	11	LC		✓
2	DDCI		✓	12	IG		✓
3	S/MC			13	Compt		✓
4	DDS&T		✓	14	Asst/DCI		✓
5	DDI		✓	15	AO/DCI		
6	DDA		✓	16	Ex/Sec		
7	DDO		✓	17			
8	D/DCI/IC		✓	18	M. Elder	✓	
9	D/DCI/NIO		✓	19			
10	GC		✓	20			

SUSPENSE

Date

Remarks:

Draft reply

pls

[Signature]

Scout file

[Initials]

DCI/DDCI

7/18/75

SEC. CL.		ORIGIN		CONTROL NO.	
Un		Postmaster General		NIO#1690-75	
DATE OF DOC	DATE REC'D	DATE OUT	SUSPENSE DATE	CROSS REFERENCE OR POINT OF FILING	
17 Jul 75	18 Jul 75				
<p>TO DCI FROM Benjamin Bailar SUBJ. Re mail opened by the CIA, and the Postmaster General's desire to prosecute. ER 75-3287/1</p>				ROUTING	DATE SENT
				A/NIO	
COURIER NO.		ANSWERED		NO REPLY	
				1 _	

*f-Senate
Papers*